DRAFT Action/Summary Minutes Regular City Council Meeting City Council Chambers Tuesday, May 25, 2010, 4:30 p.m.

- 1.Call to Order/Pledge of Allegiance: Mayor Adams called the meeting to order at 4:34 p.m.Reading of Citys Vision Statement: Councilor Surber read the Vision Statement
- **2.Roll Call:** Mayor Rob Adams, Vice Mayor Cliff Hamilton, Councilor Mark DiNunzio, Councilor Nancy Scagnelli, and Councilor Dan Surber. Councilor Pud Colquitt and Councilor Jerry Frey were absent.
- **Staff present:** City Manager Tim Ernster, Assistant City Manager Alison Zelms, Community Services Director Andi Welsh, City Attorney Mike Goimarac, Associate Engineer Andy Dickey, Commander Ron Wheeler, Director of Community Development John OBrien, Finance Manager Barbara Ashley, Financial Services Supervisor Abigail Hernandez, Development Services Supervisor Jim Windham, and Deputy City Clerk Alison Carney.
- 3. Recognition of outgoing Council members including any recognition from the public.
- John DiBattista, Sedona, thanked the outgoing councilors for the years of service theyve given our community and will continue to do. He wished the best of luck to the new Council.
- Becky OBanion, Sedona, stated shes representing the Sedona Main Street Program. She welcomed the new Councilors and thanked the outgoing Councilors for the time theyve put in to leading our city. Its been a wonderful partnership with the city and the Main Street Program. We appreciate that you had the bigger vision. Those strong businesses are about building a stronger tax base for Sedona and keeping other tax means out of the picture. On behalf of the Main Street Program we thank you. Good luck.
- Carol Rizzi, Sedona, stated serving public office is to be congratulated. Its a tough job. For the outgoing Council, in her opinion, she didnt agree with a lot of things they did. What you did just recently, with regard to salaries and the SB1070 issue was despicable. For whatever people think you did well for this town that was a horrible way to end. She wishes the new Council lots of luck.

Mayor Adams asked the new Council to come up to be sworn in.

4.Swearing in of new Council members by Judge Rodger Overholser.

Judge Rodger Overholser read the Oath to the new council members and then to the Mayor.

- Chris Lane, Sedona, congratulated Council. He stated he teaches poetry at Red Rock High School. He thought it would be fitting to have a great friend and a wonderful poet and one of his students read to you one of her poems in celebration of her birthday and of this evening.
- Kaia Placa read her poem.
- 5. Roll Call: Mayor Rob Adams, Vice Mayor Cliff Hamilton, Councilor Mark DiNunzio, Councilor Barbara Litrell, Councilor Dan McIlroy, Councilor Dennis Rayner, Councilor Mike Ward

Councilor Rayner read the Vision Statement.

Mayor Adams called a recess at 4:50 p.m. He reconvened at 5:05 p.m.

6. Summary of Current Events by Mayor/Council/City Manager.

Vice Mayor Hamilton stated last weekend, in preparation of fire season our fire district sponsored an event at the Uptown fire station for three days for people to drop off brush. We all need to be aware of that as we move into fire season.

Mayor Adams stated we started the Mayors lunches again. You have to look close in the paper. Theyre on the third Tuesday of every month. We wont have one in July. Its a great time to dialogue one on one. On May 20 the Sedona Main Street meeting. On May 20 we had the City Managers review, he had a glowing report. On May 21, at Good Morning Sedona, we introduced the new councilors. On May 21, a lot of you were here for the ADOT board meeting. There was an awesome flower show at the library. On May 22, we designated two more houses in Sedona with a historic plaque. On May 24, Sedona Times had a fundraiser at Los Abrigados.

Tim Ernster stated Andi Welsh will give Council an update on Arizona State Parks.

Andi Welsh stated last week the board approved an IGA for the county to enter with them to keep the park open until October 30. June 8, well have an IGA to assist with keeping the park open as well as an agreement to help them operate the gift shop. In March or April, in Bashas they took donations. In one month they raised \$20,000, with the Sedona Bashas raising the most. The money is used throughout the State Parks system.

Mayor Adams stated the city allocated \$15,000 to help keep the park open, for at least another year.

Mayor Adams thanked Jawn McKinley, Katie Hamilton, Karen Strauss and Linda Nicholas for the special occasion tonight.

7. Reports and discussion on Council assignments.

Vice Mayor Hamilton stated Parks & Recreation Commission met last night. Dwayne DePaepe was elected new chair of the commission. The Verde River Partnership are pursuing turning themselves into their own non-profit so they can utilize money as a legal entity and theyre pursuing funding to assess impacts on the Verde River and Basin on pumping. Hopefully with the start of those studies and receiving the grant some of the information will start to move forward.

Mayor Adams stated on May 21, we had a meeting of the Greater Arizona Mayors Association. Theres about 13 cities represented by their mayors. We approved the bylaws so its become official. It gives us a loud voice with our State Legislature. Rural Arizona gets pushed around by Maricopa County. This gives us a louder voice. Hes on the Executive Board of Arizona League of Cities and Towns, the main lobbying group for cities. Were taking a step up on the state level.

8. Public Forum: Limit of three minutes per presentation.

This is a time for the public to comment. Council Members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. 38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.

David Tracy, Sedona, stated wastewater rates are increasing and they are increasing because we continue to make improvements to increase capacity at our plant. If your clothes are starting to get tight, do you buy a longer belt and a bigger set of pants? If it

costs \$1 to increase the capacity at our plant, and it only costs \$0.50 to reduce the demand of the flow going to the plant, would that be a better investment? When we hire a consultant and he makes his money by designing plants do you think hed look at ways to reduce the flow going to the plant? If the only tool in his toolbox is a hammer doesnt ever problem look like a nail? Do we need to start thinking outside the box? Is it possible to come up with different answers to the same problems?

- ▶ Bettye Monzo, Sedona, stated we all have our opinions on SB1070. Dont get involved in any debates. Were a tourism city. The polls gave a 74% for and 20 something against it. She doesnt want people looking at the city and coming up with controversy.
- Barbara Bretbart, Sedona, stated everybody shes spoken with believes that a reduction in Council salaries is unjust and inequitable. She thinks many would agree with her now. The collection box has \$7 in it. She would encourage you to reverse the resolution as soon as you can and make things right again. Thank you and good luck to you.
- Jawn McKinley, Sedona, stated she has one request for the new Council. She sang a song for Council.
- Patrick Hickey, Sedona, congratulated the new Council. Hes delighted to see them sitting there. He appreciates Paul Chevalier for his instrumental contribution for organizing you guys to make it here. Contrary to whats going on in the economy. The Council should be paid more because it might empower people of lesser means to be councilors. Not everyone has an independent income. Hes been attending these meetings since 1989.
- Doug Blackwell, Sedona, stated Sedona is a happy place, this is why he moved here.
- Barbara Mayer, Sedona, stated regarding your pay, we need to honor the office. You need to reinstate your pay. You all deserve it. The office deserves a reasonable pay.

9. Awards and Proclamations:

Awards

a. Presentation from the Sedona Masonic Lodge for Police and Fire Officers of the Year.

Brook Cunningham, of the Central Arizona Masonic Lodge 14. Weve been doing this since 2003; we honor a police officer and firefighter of the year. He travels all over the state and country and makes presentations all the time, but this is the best one he gives. Starting with the firefighter of the year, this gentleman has excelled as a firefighter in our community, Johnny Sedillo.

Brook presented Johnny with the award and Chief Nazih Hazime with the perpetual plaque with Johnnys name.

Brook called Detective Michael Dominguez and interim Chief Jim Driscoll up and presented Michael with the award and the perpetual plaque to the interim chief.

b. Proclamations: None

Motion: Vice Mayor Hamilton moved to approve the awards. Seconded by Councilor McIlroy. Vote: Motion passes unanimously with seven (7) in favor and zero (0) opposed.

10.Consent Items:

The consent portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items approved will be done by one non-debatable motion passed unanimously. Any member of the Council, staff or public may remove any item for debate. Items removed from the consent portion may be acted upon before proceeding to the next agenda item.

a. Approval of Minutes:

(i.)May 4, 2010

(ii.) May 6, 2010

(iii.)May 7, 2010

(iv.)May 11, 2010

(v.)May 12, 2010-Budget

(vi.)May 12, 2010-SB1070

b.Liquor License(s):

(i.)Approval of an Application for a Special Event Liquor License for the Boys & Girls Club of Northern Arizona as part of the 2010 Sedona Taste Fundraiser scheduled for June 13, 2010. This event will be held at the Los Abrigados Resort and Spa located at 160 Portal Lane.

- (ii.) Approval of an application for a location transfer for a series 7 Liquor License for the Wild West Wine Company located at 336 State Route 179 Suite C-102. License # 07036000.
- c.Approval of a Final Plat for Vista Montana, Tract 5, a proposed 3-unit single-family residential town home development on Tract 5 of the Vista Montana subdivision located east of the intersection of Posse Ground Road and Vista Montana Road. Assessors Parcel Number: 408-25-271B. Applicant: Vista Montana Homeowners Association. Case Number: SUB2009-4.
- d.Request for approval of a Final Plat Amendment to reconfigure the boundaries of Assessors Parcel Number 408-46-052 in the Casa Contenta subdivision. Applicant: Rick Zarcone. Case number: SUB2010-1.
- e.Approval of a resolution requesting that the Arizona Department of Transportation establish a dedicated winter maintenance fund in the FY 2011 ADOT operating budget.

Motion: Vice Mayor Hamilton moved to approve the Consent Agenda items A-E. Seconded by Councilor Rayner. Vote: Motion carries unanimously with seven (7) in favor and zero (0) opposed.

11.Discussion/possible action on selection of a Vice Mayor.

Motion: Councilor Litrell moved to select Vice Mayor Cliff Hamilton as vice mayor. Seconded by Councilor Ward. Vote: Motion passes unanimously with seven (7) in favor and zero (0) opposed.

Councilor Litrell stated Vice Mayor Hamilton has been on Council for two years. During that time he has dedicated an enormous amount of effort. Hes asked the hard questions. Hes done his homework in a wonderful way. He always comes prepared. She knows when she was in the audience she was impressed with his knowledge and his leadership. Shes proud to nominate him.

Vice Mayor Hamilton stated hed proudly accept it. Hed serve for all of you. Much of the work he does helps Mayor Adams out on things.

Mayor Adams stated Vice Mayor Hamilton has been a huge help to him. Hes taken on a lot of assignments. Its been a pleasure to work with him. Even if we dont agree on everything we can be civil and have discussion. He supports the nomination.

12. Discussion/possible action on a resolution endorsing designation of approximately 160,000 acres in the Greater Sedona area as the Sedona-Red Rock National Scenic Area and urging passage of HR 4823.

Mayor Adams stated itd be appropriate to read the resolution were proposing.

Vice Mayor Hamilton stated Red Rock News is running an online poll asking if we should reverse the former decision. That poll was running 71% in favor of Council reversing the former councils approach. Polls are always just that, at least some kind of measure; its at least a current indication on where the majority is at. We have a resolution that says, Vice Mayor Hamilton read the resolution:

"Resolution No. 2010-12, a resolution of the mayor and city council of the city of Sedona, Arizona, endorsing designation of the "Sedona-Red Rock National Scenic Area" (NSA). Whereas, the Sedona area is truly unique and deserves special attention to ensure the permanent protection and preservation of the natural, cultural and historic values of the adjoining Coconino National Forest lands, and whereas, the protection of this scenic beauty is essential to the quality of life of Sedona residents, and whereas, the preservation of environmental elements surrounding Sedona is critical to the economic vitality of the City, and whereas, a National Scenic Area designation will provide a new source of publicity to enhance the Citys tourism-based economy, and whereas, Congresswoman Ann Kirkpatrick has introduced federal legislation in Congress in the form of H.R.4823, the Sedona Red-Rock National Scenic Area Act of 2010, to create the Sedona-Red Rock National Scenic Area, and whereas, H.R.4823 allows for potential future infrastructure needs of the City, county, school districts and fire districts, and does not impact private lands in the area, and whereas, under the provisions of H.R.4823, the management of the designated lands will continue under present U.S. Forest Service authority, with no additional layers of government, and will remain subject to current management plans and to future management planning processes, and whereas, H.R.4823 permanently eliminates trading of National Forest land in and around Sedona for private lands outside this area, Now, therefore, be it resolved by the mayor and the council of the city of Sedona, Arizona, that: The City of Sedona, through its Mayor and Council, strongly endorses the designation of approximately 160,000 acres of lands in the Coconino National Forest in the greater Sedona area as the Sedona-Red Rock National Scenic Area, and urges Congresswoman Ann Kirkpatrick to aggressively pursue passage of this legislation. The City Council further requests that Senators John McCain and Jon Kyle introduce companion legislation in the U.S. Senate and aggressively pursue its passage."

Mayor Adams stated this resolution will upturn the previous councils motion to oppose NSA.

Mayor Adams opened it to the public at 5:40 p.m.

Ernie Strauch, Sedona, stated its about time.

Mayor Adams brought it back to Council at 5:40 p.m.

Councilor DiNunzio stated he voted against NSA proposal the first time around out of concern for the language that was being circulated in town. He was concerned it wasnt tight enough. He really commends Representative Kirkpatrick. They wrote a tight piece of legislation that really does protect the land. He thinks it deserves everyones support.

Councilor Litrell stated on June 10 there will be a hearing before the Natural Resources Subcommittee. Thats the next step. You can follow the bill online. Several folks will go to Washington to testify.

Motion: Councilor Ward moved to approve resolution 2010-12 Endorsing the designation of approximately 160,000 acres in the Greater Sedona area as the Sedona Red Rock national Scenic Area and urging our congressional representatives to aggressively support passage of HB 4823. Seconded by Councilor Litrell. Vote: Motion carried unanimously with seven (7) in favor and zero (0) opposed.

13. Discussion/possible direction regarding recent discussions with Arizona Department of Transportation officials regarding the status of the installation of continuous roadway lighting on State Route 89A and the possibility of a route transfer of State Route 89A to the City from the Arizona Department of Transportation.

Mayor Adams stated were going to address a motion made by the previous council to not enter into negotiations regarding a route transfer.

Tim Ernster stated were not asking for formal action by Council. The intent was to inform Council about meetings held last week regarding the future of the lights and get direction from Council on four alternatives. Last week Mayor Adams, Councilor Litrell and himself met with ADOT staff. The purpose was to convince ADOT to sit down with the City and discuss other alternatives to roadway lighting. The idea would be ADOT would maintain ownership of the highway. In the morning ADOT wanted the City to commit to a route transfer and in return ADOT would do a number of projects

on 89A including the overlay, installation of the Andante signal, signal at Airport Road, drainage at Windsong and some other projects. They agreed to do some other things. Later that day staff had a meeting with ADOT officials and they reached a different conclusion. Theyd do all the projects he mentioned, but instead of being responsible for construction other safety alternatives, they give the City funds for those improvements and provide the City funds for maintaining 89A for a number of years. They would provide the City with \$100,000 for ten (10) years. Theyd give \$3 million for construction safety improvements in lieu of the lights. If the City could demonstrate the costs of the improvements was greater, ADOT might provide additional funding. It was disconcerting to staff that the position ADOT took from the morning and afternoon changed. Tim Ernster asked ADOT to provide a letter from the director that clearly laid out ADOTs position. We received the letter this morning. You should have that letter in front of you. In that letter ADOTs position is in order to put the lights on hold, ADOT is expecting the City to negotiate a route transfer. They want an agreement by mid-August. Theyre still willing to go ahead with the improvements, but they arent willing to construct the safety improvements. Weve identified four alternatives for Council to consider. The first is to meet with ADOT to discuss other safety alternatives. The second would be to negotiate for a route transfer according to ADOTs timeline. The third is do nothing which means the lights would be installed. Fourth would be to take legal action. If Council is interested in pursuing a route transfer hed ask Council to direct staff to put together cost estimates on what it would cost to install other safety improvement on 89A. If the city wants to urge ADOT to discuss other alternatives at ADOTs expense, we could send a letter to the director, but we got that today.

Mayor Adams opened it to the public at 5:52 p.m.

Doug Blackwell, Sedona, stated he was a member of the 89A safety panel. He remembers seeing something ADOT said in the states best interest. This is not a nighttime problem. Its a daytime problem. Its not even close, the difference between daytime crashes and nighttime crashes in the past few years. This year there have been no nighttime crashes or injuries. Its very consistent. He has 342 pounds of research and data that hed be glad to provide. Hed be glad to make sure the truth is brought out. Its all about safety.

Ted Jones, Sedona, stated it sounds like Washington DC is trying to shove things down our throats. Theyre acting like take it or leave it. He doesnt see whats in it to them. Its not black or white the way they play it out.

- Ernie Strauch, Sedona, stated it appears ADOT likes to play hardball with Sedona. They dont seem amenable to continuing discussions. Hed recommend that Council direct staff to do the best they can in conversations with other cities who have gone through this negotiation with ADOT and lets find out what is the best that can be done. If youre flying solo with no other comparative situations you dont really know whats possible. He suggests we find all the recent turnbacks and talk to those cities.
- Cliff Ochser, Sedona, stated it seems dozens of cities have pursued turnback for legitimate reasons and theyve done it in an economical and feasible way. Its the time to start negotiating the best deal we can get. If theyll take care of maintenance for the next 10 years and do improvements, and then we can endow that money, hed suggest the majority of Sedona citizens want to control their own destiny. Its time we took control.
- Bill Eich, Sedona, stated as one who spent a few days talking to ADOT his advice is they want to talk to you. You just have to be strong and repetitious in talking with them. Nothing happens overnight. The first thing you do is ask for an extension. The balls in your court. You can be firm and youll get what you want.

Mayor Adams brought it back to Council at 6:00 p.m.

Councilor Ward stated we have an IGA with ADOT, we spend about \$32,000 a year and they spend about \$30,000 also a year? Correct? Virtually all the money ADOT invests in roadways in federal funds.

Tim Ernster stated he doesnt know

Andy Dickey stated hes not sure what the percentage of funds is compared to state funds, but he doesnt think the majority of funds are federal.

Councilor Ward stated an ADOT representative told him Sedona would be eligible for federal funds, but ADOT would manage the money. They are responsible for approving the design, so what do they mean by turnback. It seems everything is the same.

Councilor Litrell stated we should check to see if they are more federal funds than state funds. The lights on 89A were going to be federally funded so thats why they hate to give up the \$2 million. Shes disappointed having attended the morning meeting, where the director saw a reasonable way to put the lights in the box while we do certain things like the signal at Andante and Airport and put staff from both organizations to work on

other safety improvements and ADOT would pay for those. At the end of that time, turnback was ADOTs goal. At that meeting, John Harper, really wanted to give the road back to Sedona, but the director understood thats not where Sedona wanted to be. She thinks we should set up a work session with ADOT to go over all of this. If you read the letter from John Harper it says "as this is not a viable solution for the state." What does that mean? ADOT has never given us details. Theres never any proof for that solution. We have given ADOT enormous amounts of proof in the other direction. In that morning meeting, the Mayor read the letter from John Harper stating the safety panels recommendations presented an equivalent to what the lights would do. Theres still a lot to do. We need to have another conversation with them because it changed over lunch. She recommends we set up a work session with them.

Mayor Adams stated hes had ongoing discussions with the ADOT Director and Governor Brewer. His stand has been that wed like to discuss alternatives to continuous highway lighting with ADOT maintaining control. ADOT has been firm that the only way to discuss alternatives is if the City takes over the highway. Brewer asked why drive the stake through the heart of what we love about Sedona? There is an alternative. Entering into negotiations doesn't commit us to anything. The only thing it commits us to is getting educated on what that means. At the end of those negotiations, which will take time, we can say we negotiated a deal we can live with and well move forward with a route transfer or we wont. It is an option. The reason you have four new councilors up here is the fact that people dont want continuous roadway lighting. He thinks ADOT would love to get rid of the highway and he cant blame them. Their experience with the city hasnt been a joyous one. Were talking about a redevelopment plan for that highway. Is it a good thing? We dont know. The only way to know is to start the negotiations. He suggests we start the negotiations. We can continue to pressure ADOT to consider alternatives and still maintain control, which is a combination of recommendations one (1) and two (2).

Councilor Rayner stated in the last discussions, the difference between morning and afternoon, did ADOT give a reason for changing their mind?

Tim Ernster stated in the morning meeting, the director was warming up to the idea of idea putting in other safety improvements, but both John Harper and Floyd Roehrich spoke up against it. They felt the process theyd have to go through to come up with a plan to satisfy the city, they didnt want to be part of that. John Harper came back in the afternoon with their desire to provide the city funding.

Councilor Rayner asked how long would it take staff to do due diligence to give us all the legal information we need on what the liability might cost. It sounds ADOT is pushing for a decision by August or the lights will go up. We need more time.

Tim Ernster stated we could get those cost estimates done by August.

Mike Goimarac stated assessing the legal liability is nebulous. We could get somebody to do an analysis. You look at past history. Its more of an art than a science. If you wanted to get someone to do analysis like that it could be done in 2-3 months.

Councilor Rayner asked how much it costs the other cities in liability?

Tim Ernster stated he knows Vice Mayor Hamilton has similar concerns. We need to talk to other cities to see if there are hidden costs that they werent aware of when they went through a turnback. We can get that done in two months.

Councilor DiNunzio stated with regard to determining the costs. How would you assess what the necessary safety improvements are?

Tim Ernster stated we dont have time to come up with preliminary design, but hed like Andy Dickey to explain to Council the process wed go through. Wed have to assume maximum improvements along the highway knowing itd be less than the max. Andy Dickey is the Assistant city Engineer.

Andy stated we could find an estimate in-house. Wed look at traffic improvements. If we need to put in medians, would we need to put in roundabouts? Wed look at the corridor holistically. Wed look at the maximum improvements to come up with a realistic estimate.

Tim Ernster stated hes not in favor of hiring a consultant to do this. Hed rather use the citys engineering staff. We could use the data from 179 to come up with a cost estimate for 89A.

Councilor DiNunzio stated hes been in meetings as a junior executive when the old man would start down a path that we hadnt planned then we have to pull him back. That may be what happened here. The letter dated May 24, doesnt differ from their previous position. Hes not hopeful that theres wiggle room for negotiation with ADOT staying involved in managing the highway for us. If were going to do something other than lights we need to be in charge and do it our way.

- Mayor Adams stated the timeframe concerns him. What were undertaking isnt going to be something staff can throw together. Anything we do out there will be controversial, like medians and roundabouts. It will be a lengthy public process.
- Andy Dickey stated the timeframe depends on the level of detail we have to go through. If we want a good conservative rough estimate we can get that done by mid-August as long as we dont have to get into a lot of details. When youre getting into several different alternatives that would bog us down.

Mayor Adams stated its critical to the final negotiation in terms of the dollars.

- Tim Ernster stated we wouldnt propose that we come up with a specific design by August. Wed come up with a cost estimate making general assumptions of improvements and getting that number to use in negotiations with ADOT. Were just looking for the ability to make engineering assumptions to give us a number to negotiate with ADOT.
- Councilor Ward stated maybe we could defer this to a work session to come to some like mindedness
- Councilor McIlroy stated assuming ADOT will bargain with us in good faith, in the short term, we should explore the parameters of where they are. The August date could probably be moved. We probably want to take 89A back at some point. If ADOT is willing to talk with us, we can find a common ground thats acceptable to both sides. Hed like to see us open negotiations and get our platform together.
- Mayor Adams stated were going to have to have a number of work sessions. The question tonight is do we want to start that process. Hed like to give staff direction to start down that road. Is there council support?
- Councilor Litrell is in favor of looking at a turnback. ADOT is pushing for August so theyll get the money in their fiscal year. They dont want to lose the money. We need to go for a later date. She cant picture this happening until the end of the year by the time you get all the information and study it. We have to be careful that we arent giving an engineers estimate and then getting locked into it. Shes worried about committing to a route transfer. There needs to be something at the end where we say it is or isnt working. She agrees putting pressure on ADOT to consider other safety alternatives.

- Councilor Rayner stated say we start getting the dollar values for the mechanical parts of this and the liability parts. Hed like to make sure we go back to the public to make sure we have their buy-in. its clear they dont want the lights, but would they accept the cost of the liability in this bad economy. Hed like to know how the community really feels about this.
- Mayor Adams stated itd be councils position that wed move to an alternative but not at any cost. Hes suggesting we direct staff to move toward a combo of one (1) and two (2). ADOT wants us to sign an agreement to a route transfer; it doesnt commit us to doing that. It doesnt cost us any money to do. Itll take some staff time. At some point there will be commitment from the city from a financial standpoint. We need to make a commitment to study the route transfer.
- Councilor McIlroy stated it seems nighttime safety is driving ADOT to put in the lights. Doug Blackwell stated most of the accidents are in the daytime. Mike Goimarac and he talked about liability, and theres so many variables to liability. Just to say a highway is somehow liable because its there is too abstract. The highway must be poorly maintained. The whole liability thing is a false premise. It shouldnt be the driving point.
- Mayor Adams stated thats what ADOT stands behind. The question now is will we direct staff to move forward with the route transfer study.
- Council agreed. Councilor Litrell stated as long as it says "route transfer study."
- Vice Mayor Hamilton stated in the number one (1) choice are there things you want to describe on what putting pressure on ADOT would consist of?
- Tim Ernster stated hes not sure other than capturing the Director and holding him hostage hes not sure what theyd be. ADOT has been consistent in their stance. Other than going back to the Director, he doesnt know what else we could do.
- Vice Mayor Hamilton stated he doesnt view this letter from ADOT with being consistent with the Governors sensitivities about Sedona. Could we go back to her office and say this isnt what we had in mind?
- Tim Ernster stated approaching the Governor again would be another possibility. Maybe you do that before you go the media route.

Vice Mayor Hamilton stated weve all endorsed the signals at Andante and Airport Road but now we are talking about medians and roundabouts. Hed like to ask for clarifications from the Governors office and from ADOT about what theyre really saying in this letter as well as pursuing beginning to look at a road turnback, being clear that were talking about a discussion not a decision.

Mayor Adams stated we wont make a decision until the end. The direction to staff is to move down that road including getting info from other cities on their turnback and getting costs?

Councilor Ward stated hes comfortable, but we need to get a concrete position that we all agree on. The earlier we do that, the smarter wed be.

Mayor Adams stated well schedule a council work session to discuss this.

Councilor DiNunzio stated you said something about satisfying their safety concerns.

Mayor Adams stated itd be our safety concern.

No legal action was taken.

Mayor Adams took a recess at 6:37 p.m. He reconvened at 6:53 p.m.

Mayor Adams moved to discuss agenda item #15 before #14. Council agreed.

15. Discussion/possible action on Council assignments.

Mayor Adams stated he wrote up a recommendation after speaking with Council on their interests. Maybe we could run through them one by one. Mayor Adams ran through them. Mayor Adams stated a councilor is welcome to attend the Agenda Setting meetings.

Councilor McIlroy stated who becomes the Council liaison?

Mayor Adams stated we have liaisons set out. Mayor Adams stated if you want to shift these around, let him know.

Mayor Adams stated the League of Cities and Towns is an appointment. Hes on that. Typically he and all the other mayors go to that. He continued to run down the list.

Vice Mayor Hamilton suggested taking NAMWUA off the list. Mayor Adams told staff to cross it off.

Councilor DiNunzio asked what the Sedona Events Alliance does. Its under the Chamber of Commerce right?

Mayor Adams stated its a good group.

Mayor Adams asked Councilor DiNunzio if he wants to be on the Chamber Marketing Committee.

Councilor DiNunzio stated hed love the involvement, but if its something the mayor has the time for hed be happy to be an alternative.

Mayor Adams stated hes trying to keep his hand in some organizations.

Councilor DiNunzio stated its the mayors.

Mayor Adams stated lets put Councilor DiNunzio on there as well.

Councilor DiNunzio stated hed join the Greater Sedona Area Substance Abuse Coalition.

Mayor Adams stated theres a meeting at 8:00 a.m. tomorrow morning at the library.

Mayor Adams stated we are going to have a budget commission. Would anybody like to be the liaison?

Councilor Ward and Councilor Litrell stated theyd do it.

Mayor Adams stated so it will be Councilor Ward and Councilor Litrell as the alternate.

Councilor Rayner stated hed be interested in the sustainable commission. Vice Mayor Hamilton stated he would be as well.

Vice Mayor Hamilton asked if he could trade Verde Valley Land Preservation Institute with someone else. It has to do with looking at how to preserve open space in the Verde Valley. They struggle to find funding sources.

Vice Mayor Hamilton stated the Verde River Basin Partnership is another one hes been reporting on. That one is much bigger. That one has the same problem meeting when he has three other meetings.

Councilor Litrell stated she doesnt know when the other ones meet, but the way Brent is on water, there might be people in the community interested in land preservation. She could see if Bill Eich would be interested and shell let staff know.

Brent Bitz stated he already attends the Verde River Basin Partnership, hed be happy to act as an appointed alternative and likely pick up all the meetings.

Vice Mayor Hamilton stated hed leave his name on there then and let him and Brent work it out. It is quarterly but it pops up when theres trouble.

Brent stated typically the cities are represented by an elected person but its not always the case. Itd be useful to have the name there and use him as the alternate to report back to him.

Councilor Ward stated hed volunteered to voluntarily be a liaison with the Forest Service.

Mayor Adams stated just do it.

No legal action was taken.

14. Discussion/possible action on a resolution opposing installation of continuous roadway lighting on SR 89A and insisting that ADOT enter into discussions with the City to explore the full range of roadway options and jointly develop a comprehensive plan consistent with Sedona community values.

Tim Ernster stated this one is self-explanatory. There is a typo (typographical) in the resolution that we will correct. Its referred to as Highway 98A instead of 89A.

Doug Blackwell, Sedona, stated the numbers he mentioned earlier arent accurate, but the numbers are so tilted toward daytime, he cant imagine how ADOT thinks it lowers their liability by putting up lights that help at night when 97% of crashes are during the day. Itd be in ADOTs best interest that we do what actually improves safety. At the last meeting we had here when ADOT said there were four (4) injuries since the latest death, he researched it and found the first injury was a car, the second was at twilight, the third was at twilight and the fourth was at 1:00 p.m. ADOT didnt seem to care about the 17 that happened during the daytime. That makes him wonder about ADOT and their concern for liability and safety. He hopes you overturn the ruling that asks for lights because we have a daytime problem.

Mayor Adams brought it back to Council at 7:17 p.m.

Mayor Adams asked Councilor Litrell to read the resolution: She read resolution 2010-13:

"Resolution No. 2010-13, a Resolution of the Mayor and City Council of the City of Sedona, Arizona, opposing continuous roadway lighting along SR 89A and supporting roadway improvements that provide the highest level of day and nighttime roadway safety. Whereas, pursuant to ARS 28-332.B.2, the Arizona Department of Transportation (ADOT) is required to..."cooperate and coordinate transportation planning with local governments..." and whereas, ADOT has been following direction made by the Sedona City Council on August 13, 2008, regarding continuous roadway lighting as a partial solution to pedestrian safety concerns on SR 89A, and whereas, the recommendations of the 89A Safety Panel provided in April 2008, and those of the 2009 ADOT Pedestrian Safety Action Plan, both cite numerous safety measures having a "Crash Reduction Factor" equal to or greater than continuous roadway lighting and which do not negatively impact the Sedona visual and nighttime environment, and whereas, over 95% of the accidents and injuries on SR 89A take place in the daylight hours, and whereas, the three pedestrian deaths that occurred in the study area between 2000 and 2006 were site specific to the Andante Drive vicinity, and whereas, five different public polls and surveys, including ADOTs own NEPA public input process on November 5, 2009, document that over 80% of respondents oppose continuous roadway lighting on SR 89A, and whereas, there has been more than three (3) years of extensive community opposition to ADOTs continuous roadway lighting proposal on SR 89A, now, therefore, be it resolved by the mayor and the council of the city of Sedona, Arizona, that: The City of Sedona, through its Mayor and Council, strongly opposes the installation of continuous roadway lighting on West SR 89A in Sedona, and is firmly committed to utilize legal, financial and political means to prevent such installation. The Council further requests that ADOT enter into good faith discussions with the Council and appropriate City officials, using accurate and

current data, to explore the full range of roadway safety options that would best achieve pedestrian, cyclist and vehicular safety day and night on SR 89A and jointly develop a comprehensive plan consistent with Sedonas community values."

Council suggested changes to the wording of the resolution to include that it supports safety improvements on the roadway.

Andi read the revised resolution.

Mayor Adams asked if anyone wants to go into Executive Session to hear liability concerns about SR89A.

Councilor DiNunzio stated hed like to go into Executive Session.

Motion: Councilor DiNunzio moved to go into executive session to discuss the resolution. Mayor Adams seconded. Vote: Motion fails 2-5 (Councilor DiNunzio and Mayor Adams were in favor.)

Motion: Councilor McIlroy moved to approve resolution No. 2010-13, which expresses the Sedona City Councils strong opposition to installation of continuous roadway lighting on SR 89A and requests that ADOT enter into good faith discussions with the City to explore the full range of roadway safety options and jointly develop a comprehensive plan consistent with Sedona community values. Staff is further directed to immediately forward this resolution to the Governor, Director of ADOT, the State Transportation Board, Sedonas state representative and senator and Sedonas Congressional Representative and U.S. Senators. Seconded by Councilor Litrell. Vote: Motion carries six (6) in favor to one (1) opposed. (Councilor DiNunzio opposed).

Mayor Adams asked can we add roadway "safety" options. It just says full range of options.

Councilor McIlroy agreed.

16. Discussion/possible action on future meeting/agenda items.

Next Council meeting will be June 8 at 4:30 p.m. There is a budget review scheduled for June 10.

Vice Mayor Hamilton stated we talked about moving the retreat to the end of June.

Mayor Adams asked if staff would be prepared for an earlier retreat day.

Tim Ernster stated were looking at finding a date in late June. Michele Stover trying to see if we can move it to June 23. We havent firmed up the date yet.

Mayor Adams stated so well see when staff can get prepared.

No legal action was taken.

17. Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purposes:

a.To consult with legal counsel for advice on matters listed on this agenda per A.R.S. §38-431.03(A)(3).

b.Discussion or consultation with legal counsel in order to consider its position and instruct its legal counsel regarding the Citys position in the following pending or contemplated litigation or contracts that are the subject of negotiation, or settlement discussions in order to avoid or resolve litigation per A.R.S. §38-431.03(A)(4), specifically:

1) Sedona Grand L.L.C., v. City of Sedona, Yavapai County Superior Court Case No. 820080129.

Following any discussions in executive session of the above matters, the City reserves the right to discuss and/or act on any of the above listed legal matters in open session.

No executive session was held.

18.Return to open session. Discussion/possible action on executive session items.

No executive session was held.

19.Adjournment: Mayor Adams adjourned the meeting at 7:58 p.m. without objection.

Respectfully submitted,

Alison Carney, Deputy City Clerk	Date	